

## **ORDINANCE 10 - 23**

### **ORDINANCE REGULATING THE OPERATION OF GOLF CARTS WITHIN THE CITY OF WESTFIELD, INDIANA**

**WHEREAS**, the City of Westfield is governed by its duly elected City Council ("Council"); and,

**WHEREAS**, the Council has the responsibility and the duty to respond to requests from the citizens of the City who have requested the ability to operate golf carts within the City limits; and,

**WHEREAS**, as a means to address the possible public safety concerns and desires of the citizens the Council finds that this Ordinance is appropriate.

#### **NOW, THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT:**

**Section 1.** This Ordinance shall apply to the operation of golf carts within the corporate limits of the City of Westfield. Only operation pursuant to the conditions contained herein and I.C. 9-21-1-3.3 shall be permitted.

**Section 2.** Only golf carts described and equipped by Exhibit "A", attached hereto and incorporated by reference herein, shall be allowed to operate within the Westfield corporate limits.

**Section 3.** Operators of golf carts within the corporate limits shall be at least 16 years of age, hold a valid driver's license and be covered by liability insurance in an amount not less than the minimum the State of Indiana requires for automobiles.

**Section 4.** Any violation of the conditions imposed by this Ordinance shall be punished by a fine not to exceed those for a Class C Infraction pursuant to Indiana Law.

**Section 5.** This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinance or parts thereof in conflict herewith are hereby repealed.

ALL OF WHICH IS ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ <sup>2010</sup>~~2009~~.

WESTFIELD CITY COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ John Dippel	_____ John Dippel	_____ John Dippel
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Bob Horkay	_____ Bob Horkay	_____ Bob Horkay
_____ Ken Kingshill	_____ Ken Kingshill	_____ Ken Kingshill
_____ Bob Smith	_____ Bob Smith	_____ Bob Smith
_____ Thomas Smith	_____ Thomas Smith	_____ Thomas Smith
_____ Rob Stokes	_____ Rob Stokes	_____ Rob Stokes

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 10-~~23~~ was delivered to the Mayor of Westfield

on the \_\_\_\_\_ day of \_\_\_\_\_, 2010, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 10-~~23~~

I hereby VETO ORDINANCE 10-~~23~~

this \_\_\_\_\_ day of \_\_\_\_\_, 2010. this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
J. Andrew Cook, Mayor

\_\_\_\_\_  
J. Andrew Cook, Mayor

This document prepared by  
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KRIEG DEVAULT, LLP  
(317) 239-6266

Ordinance 10-\_\_

## Exhibit A

### DRAFT

#### Golf Cart Ordinance

1. The definition of Golf Cart is an electric or gas vehicle that is originally designed and manufactured for operation on a golf course for sporting or recreational purpose and is not capable of exceeding speeds of 45 mph. This does not include ATV or Utility vehicles. You cannot hang a golf bag on your gator and call it a golf cart.

2. This ordinance allows the operation of Golf Carts on the roadways within the corporate limits of the City of Westfield. Only operation pursuant to the conditions contained herein and IC 9-21-1-3.3 shall be permitted.

3. Operators of golf carts on public roadways within the corporate limits shall hold a valid driver's license and be covered by liability insurance in an amount not less than the minimum the State of Indiana requires for automobiles.

4. Golf carts may only be operated on public roadways between sunrise and sunset and not during inclement weather such as rain, fog or when there is an accumulation of ice or snow on the ground.

5. Golf carts can only be operated on public roadways with 25 mph speed limit or less. They shall not exceed the posted speed limit at any time. You can cross other streets at intersections only.

- *Suggested Changes (Melody Jones): A planned network of streets that accommodate golf carts in the downtown area are shown on exhibit A. Then let's work on the map.*

6. All golf carts shall have a slow moving vehicle sign attached to the rear of the vehicle and a bicycle safety flag at a minimum of 6 feet above the pavement also equipped with adequate brakes and working park brake.

7. Golf carts may use all trails and sidewalks except the Monon and Midland Trails. They must yield the right of way to all pedestrians and bicycles. Golf Carts may never cross U S 31. They are not able to travel SR 32 and only cross SR 32 in the downtown area.

- *Suggested Changes (Melody Jones): I would rewrite to read: Golf Carts may be used on sidewalks within subdivisions and on perimeter trails only. These are the unnamed trails that run along roadways and through subdivisions. Golf carts are not allowed on any named trail, which includes Monon Trail, Midland Trace Trail, Natalie Wheeler Trail, Grand Junction Trail, Cool Creek Trail or within any Westfield City Park, unless approved by the Westfield Parks Director for use during special events.*

8. The operator of a golf cart on public roadways shall obey all Indiana traffic laws.

9. A golf cart can only carry as many passengers as designed. Everyone must be on a seat and the seat not overcrowded.

- *Suggested Changes (Melody Jones): I would move these two sentences to item number 4*

## **Exhibit A**

### **DRAFT**

#### **Golf Cart Ordinance**

10. All golf carts operated on city roadways and trails shall be inspected every two years by the Westfield Police Department and have a permit sticker on the right rear fender issued by the City of Westfield. The cost of inspection will be \$25.00 for a 2-year permit. This ordinance shall not apply to public or private golf course, construction sites, retail golf cart outlets or operation on roads inside of private property.

11. Any violation of the conditions imposed by this ordinance shall be punished by a fine not to exceed those for a Class C infraction pursuant to Indiana law.

12. This ordinance shall be in full force and effect in accordance with Indiana law, upon its passage by the City Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed.